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VIRGINIA IN 1656-1658.

(Abstracts by W. N. SAINSBURY, and copies in the McDonald and De Jarnette Papers, Virginia State Library.)

(CONTINUED)

ORDER IN REGARD TO CRIMINALS, VAGRANTS, &C.,
AUG. 14, 1656.

Order of his Highness & the Council.

Notwithstanding the directions given for securing the peace of the Commonwealth touching the apprehending & disposing of lewd and dangerous persons, rogues, vagrants and other idle persons who have no way of livelihood and refuse to work or employ themselves in any honest calling, yet there hath not been that fruit that was expected but on the contrary numbers of them do exceedingly increase to the great annoyance of the Country and the endangering of men's persons & estates. And being sensible how much it would conduce to the preventing of those many robberies, thefts, burglaries, murders and other mischiefs which are daily committed by such lewd and dissolute persons if an effectual course were taken for the apprehending & proceeding with them according to the said orders the Commis'rs are earnestly recommended to use their utmost endeavors for apprehending all such persons and to treat with Merchants or others for transporting them to the English Plantations in America on security that they shall not return into this Commonwealth without leave from his Highness & the Council.

(*Interregnum Entry Bk., Vol. 105, pp. 329-331.*)

PETITION OF THOMAS COLCLOUGH, AUG. 19, 1656.*

Petition of Thomas Colclough of London, Merchant trading for Virginia to the Lord Protector and his Council Has, with others, freighted the Anthony for a merchandizing voyage to Virginia & provided thirty quarters of malt to be transported in her, amongst much other lading, for the necessary use and supply of the English Plantations there—Prays for license for transportation of said malt in said ship paying duties for same according to the book of rates.

Indorsed. "R. 19. Aug. 1656. Ord'r 26."

(*Colonial Papers*, Vol. 13. No. 12.)

[Consent was granted on condition that Colclough paid the usual duties.]

ORDER OF HIS HIGHNESS & COUNCIL, DEC. 17, 1656.

Upon reading a Certificate from the Committee of Trade in pursuance of the Council's Order of 31 July last whereby it was referred to them to consider of the petitions of Richard Bennet and Samuel Mathews, Agents for Virginia and the rest of the Plantations in the Bay of Chesapeake with the Representation of the Gov'r Council and Burgesses of the Grand Assembly in Virginia and a Report from the Lords Commiss'rs Whitelocke and Widdrington upon petition of Cecilius Lord Baltemore made to the Council in pursuance of a reference from his Highness, Ordered that said Certificate and that whole matter be referred to the Committee of the Council for Foreign Plantations who are to speak therein with the parties and to report to the Council what they shall conceive fit to be done upon the whole business, as also to consider of what was now proposed by the Lord Deputy and the Lord Deputy is added to that Committee.

(*Interregnum Entry Bk.*, Vol. 105, pp. 581-2.)

* Thomas Colclough was brother of George Colclough, of Northumberland county, Va., who represented that county in the House of Burgesses in 1658-9. George Colclough married Ursula, widow of Col. John Mottram, of Northumberland.

ORDER IN REGARD TO PASSENGERS TO VIRGINIA, AUG., 1657.

Report of Colonel White and Major Miller [of the Committee for America] to [the Council.] Have in pursuance of their Order been on board the Conquer and taken an account of what passengers are therein embarked and upon what terms and how they were enticed on board and have in the foregoing List inserted some brief account thereof. Also demanded that those persons that are unwilling to go be set on shore but the master, mate and boatswain refused them only the two soldiers were delivered the others remain still on board, notwithstanding their Honors command were left in writing they are not delivered.

Indorsed. "Ord'r 14 Aug. 1657."

(*Colonial Papers*, Vol. 13, no. 29.)

PERSONS KIDNAPPED BY "SPIRITS"* TO BE SENT TO VIRGINIA.
AUGUST 6, 1657.

The Names of several persons on board the Conquer bound for Virginia, taken by the Spirits. There are eleven persons described, here is the account of one, viz.—Robert Person, 30 years of age, enticed by spirits (not known) who got him to go to drink in Smithfield and so brought him on board at 12 of the clock at night pretending to have been to his own lodgings. He came out of Yorkshire, from a place called Holden to help a driver having never been at London before, also Mary Cooper aged 24 years was going to the Office

* During a large part of the seventeenth century, before negro slaves became abundant, there was such a demand for white laborers in Virginia that it was not only supplied by legitimate means of inducing such people to go to Virginia to become indentured servants to the planters, but there were many instances of kidnapping. Those who carried on this nefarious occupation were known, from the great secrecy which was required, as "spirits." For documents in regard to cases in 1618 see this Magazine, VI, 228-230; see also Bruce's *Economic History of Virginia in the Seventeenth Century*, I, 613-618. Kidnapping was done not only for Virginia, but all of the other American Colonies.

on the back side of the Exchange to enquire for a service and there met with a woman who promised her a place at Virginia a little below Gravesend and sent her on board by a Waterman and keeps her clothes So that she's not much unwilling to go if she had them, again, Elizabeth Smalldridge 22 years of age was spirited on board by Edward Gyles, Soldier, under pretence of helping her to a service and is willing to go if she had her clothes. Also. The names of the persons hereafter mentioned went voluntarily on board the Conquer, viz. John Andrewes, Dutchman, George Walker, 14 years of age put on board by his Mother in law, Edward Cooke 18 years of age, Judith Musicke aged 17 years Anne Smith aged 17 years Robert Mackewe Scotsman aged 21. Elliener Riden 18 years, Thomas Richards, aged 21. Ellis Nicholls, 23 years, Mary Clarke, aged 20 years. Elizabeth Helinge aged 24. Violet Nelson aged 22. John Fowler aged 19. Elizabeth Daggett aged 22. Raphe Fishborne aged 17.

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(*Colonial Papers, Vol. 13, no. 29, I.*)

ORDER OF HIS HIGHNESS & COUNCIL, AUG. 14, 1657.

On consideration of a return made in pursuance of the Council's Order of the 6th Inst (which see) from Lt. Col. Francis White and Major Miller, certifying that upon informing themselves concerning the passengers shipped in the Conquer now bound for the West Indies [Virginia] they found the persons after named to be unduly enticed aboard and there continued against their wills, viz: Wm. Adrian, Stephen Bell, Robt. Person, Jonas Baine, Richard Edmondess, Francis Folkes, Anne Kelner, Wm. Woodal Johnson, Gravell Rouse, a Spaniard, Mary Cooper, Elizabeth Smalldridge. Ordered that said ship be suffered to depart and proceed on her voyage, the said former order notwithstanding, the Master first setting on shore the persons before named or such of them as remain unwilling to go the voyage.

(*Interregnum Entry Bk., Vol. 106, p. 84.*)

PETITION OF WILLIAM ALLEN AND OTHERS, MERCHANTS
TRADING TO VIRGINIA TO THE LORD PROTECTOR &
HIS COUNCIL. SEPT. 8, 1657.

That shoes and boots & other commodities made of English leather being by the laws prohibited to be exported into Foreign Parts, Virginia and other English Plantations being not able to subsist without such commodities and having no supplies from other parts licenses have usually been granted for transportation of a certain number of shoes to supply their necessities. Petitioners having now divers ships intended for those parts, pray for a license to transport thither three thousand dozen pairs of shoes paying the duties for the same.

Indorsed. "Rec. 8 Sept. 1657. Ord'r 15 Sept. 1657."

(*Colonial Papers, Vol. 13, no. 32.*)

[Permission was given.]

PETITION OF HUMPHRY LEE TO HIS HIGHNESS' COUNCIL, SEPT., 1657. Is bound to the Plantation of Virginia and is desirous to furnish the English Planters with boots and shoes. Prays for a Warrant for transportation of four or five hundred dozen of shoes and boots.

Indorsed. "Ord'r 15 Sept. 1657."

(*Colonial Papers, Vol. 13, no. 33.*)

[Permission was given.]

ORDER OF HIS HIGHNESS & COUNCIL, DEC. 1, 1657.

His Highness did this day deliver to the Council a Report from the Committee for his Highness' affairs in America and a paper signed by several Merchants annexed, concerning the government of Virginia. Ordered that it be referred to the Committee of the Council for the business of Jamaica to consider of the said Report and paper and as soon as may be to offer their opinion to the Council. And in order thereunto they are desired to meet speedily.

(*Interregnum Entry Bk., Vol. 106, p. 307.*)

ORDER OF HIS HIGHNESS & COUNCIL, DEC. 18, 1657.

Colonel Sydenham represents from the Committee of the Council for Jamaica to whom the report from the Committee for his Highness in America, concerning Virginia was referred. That by the said Report and a paper thereunto annexed and signed by several Merchants trading to Virginia, the Gov'r of Virginia is set forth to have been a long time unsettled, by reason whereof and for want of sufficient Commissions & authorities from hence the hopeful improvements there receive no advance or encouragement, whereupon said Com'tee for America do propose it as necessary That some fit person be sent thither by his Highness as Governor* & do nominate Mr. Edward Diggs in that behalf, as one that would satisfy all parties and interests among them & desire that (the last ships of this year being forthwith to go away thither)

* Their dislike for monarchical institutions and enthusiastic love for what they regarded as a republic, together with their ignorance of many records which have since come to light, induced Burk and Hening to give what is probably far from an exact justice of the freedom of Virginia between 1652 and 1660. They state that the Colony chose its own governors and managed its own affairs practically without interference from England.

It is true that Parliament and the Protector were too much occupied with more weighty and pressing business to exercise much control over the internal affairs of Virginia, but it is also probable that their influence was really much greater than Burk and Hening believed. When the Parliamentary fleet set out to reduce Virginia and the other loyal Colonies, Richard Bennett, one of the commissioners, bore a sealed letter from the Council of State which was not to be opened until Virginia was reduced. (*Virginia Magazine*, XI, 40.) The contents of this letter are not known; but as Bennett was immediately chosen governor by the Virginia Assembly, it is a fair inference that it contained an order or request to that effect. No evidence has, as yet, come to light showing the reasons for the election of Governor Edward Digges on March 31, 1655, but the text shows that he was believed to be *persona grata* to the English Government. When it was decided to send Digges to England as agent for the Colony, Samuel Matthews was, on March 31, 1657-8, chosen to succeed him as governor. This election is explicitly stated to be "until the further pleasure of the supreme power in England shall be known."

his Highness will at least nominate a Governor, that the Country may have intelligence thereof, and the minds of all concerned be the better satisfied. Ordered that it be offered to his Highness as the advice of the Council that his Highness will please to nominate such a person to be Governor of Virginia as his Highness shall think fit.

(*Interregnum Entry Bk., Vol. 106, p. 358.*)

ORDER OF THE PROTECTOR AND COUNCIL, MAY 20, 1658.

Order of his Highness & Council, on petition of the Merchants, Planters and Traders to the English Plantations in America, especially to Virginia, concerning the prohibiting, suppressing and destroying the planting tobacco in England, that pet'rs find notwithstanding the prohibition and restraint, that several people in divers parts of this nation are at this time preparing vast quantities of ground and seed to the manifest contempt of his Highness' authority and the lawes in that case made and provided, Ordered that a letter be written to the Justices of Peace for the respective Counties to put the Act of Parliament of 1 April 1652 in effectual execution and requiring all persons both Civil and Military to be aiding and assisting thereon.

(*Interregnum Entry Bk., Vol. 106, p. 629.*)

ORDER OF HIS HIGHNESS & COUNCIL, JULY 22, 1658.

On petition of divers merchants masters and others trading to Virginia, That the Com'rs of the Customs permit two thousand dozen of shoes to be shipped and transported for the use of the inhabitants of Virginia in the following ships,, viz:

- Wm. & John, Rich. Holdman, Mast'r.
- The Honor, John Prise, Master.
- John & Katherine, John Miller, Mast'r.
- The Recovery, Rich. Husband Mast'r.
- The Dove, Sam Groome, Mast'r.
- The Golden Lyon, Christ'r Eveling, M'r.

The Margaret, Robt. Fox, Mast'r.
The Relief, John Tully, Mast'r.
The Recovery, John Young, Mast'r
& the James River Merchant, Edward Gunnell, Mast'r, all
bound for Virginia, that is to say, two hundred dozen in each
ship.

(*Interregnum Entry Book, Vol. 106, p. 762.*)

PETITION OF THE MERCHANTS AND TRADERS TO VIRGINIA AND
THE REST OF THE ENGLISH PLANTATIONS IN AMERICA TO
HIS HIGHNESS' PRIVY COUNCIL, AUG. 3, 1658.

That whereas their Lordship have upon mature consideration
given order for enforcing the good laws and orders of State
for the suppressing of the planting of English tobacco, and
whereas divers persons have now in a hostile manner re-
belliously opposed the execution of said laws & orders Peti-
tioners duly considering the manifold inconveniences which
must necessarily follow to this Commonwealth and the Colony
of Virginia if such laws and orders be not effectually & in-
stantly prosecuted, pray their Lordships will give directions
to such a force as shall be necessary to destroy the said to-
bacco and secure the peace of the Country.

Signed by Edward Digges, Robt. Lewellin, Sam. Harwar,
Rich. Chandler, Henry Richards, Wm. Allen, Rich. Lee,
Arthur Bayly & Thos. Colclough.

Indorsed. "R. 3. Aug. 1658. Ord'd 3. Aug. 1658."

(*Colonial Papers, Vol. 13, no. 48.*)

(TO BE CONTINUED.)